

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA

v.

JUAN MARCOS MOLINA

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C.R. NO. C-07-749M

ORDER OF DETENTION PENDING TRIAL

On December 21, 2007, a detention hearing was held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of defendant pending trial in this case:


(1) There is probable cause to believe the defendant committed an offense for which a term of imprisonment is a maximum of five years in prison pursuant to 21 U.S.C. § 841(b)(1)(D).

The evidence against defendant meets the probable cause standard. The findings and conclusions contained in the Pretrial Services Report including the Addendum to the Report are adopted. There is an outstanding bench warrant for defendant regarding a driving while intoxicated charge in Starr County. Defendant denies that he was ever charged in that case or that he failed to appear. Sara Villarreal of Pretrial Services reported that the bench warrant was linked to defendant's FBI issued number. It had the defendant's same first and last name although it had a different middle name. The date of birth in that case was the same day and month as defendant and the year was one year earlier than defendant's actual year of birth. The social security regarding that case was the same as the defendant's social security. Finally, the fingerprints associated with this case matched defendant's fingerprints. There are no condition

or combination of conditions that will reasonably assure the appearance of the defendant as required as well as the safety of the community.

Defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on a request of an attorney for the Government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 21st day of December 2007.



BRIAN L. OWSLEY
UNITED STATES MAGISTRATE JUDGE